

ORIGINAL

DMB:MEH:slg:2001V00181

5
3-8-01
SC

FILED
HARRISBURG, PA
MAR 07 2001
MARY E. D'AMBREA, CLERK
Per

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

YONNIE BAILEY, :
Petitioner :
 :
v. : Civil No. 1:CV-00-2184
 : (Judge Caldwell)
JAKE MENDEZ, Warden, :
Respondent :

MOTION FOR ENLARGEMENT OF TIME

Respondent asks the Court for a seven-day enlargement of time, pursuant to Fed. R. Civ. P. 6(b), in which to file his response to the Court's show cause Order dated February 15, 2001. Respondent states the following in support thereof:

1. Petitioner is Yonnie Bailey incarcerated at the United States Penitentiary Allenwood ("USP Allenwood") in White Deer, Pennsylvania.

2. On December 15, 2000, petitioner filed a 28 U.S.C. § 2241 habeas corpus petition in which Bailey alleges that a Pennsylvania State detainer lodged against him should be removed.

3. In order to appropriately respond to petitioner's allegations, the undersigned requested litigative assistance from agency counsel at USP Allenwood. The undersigned notes that the BOP presently is experiencing a staff shortage such that the undersigned is not receiving timely litigative assistance in any

prisoner cases that are pending or are received. The undersigned did not receive the facts and supporting documentation until late this afternoon, and requires additional information from the Bureau of Prisons prior to finalizing the response.

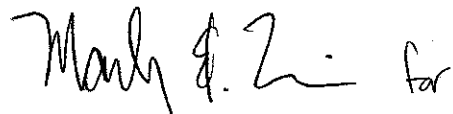
4. Petitioner's allegations concern issues that without agency counsel's assistance in providing the facts of the case and supporting documentation, the undersigned counsel lacks the resources to review and analyze petitioner's claims and to prepare a full and proper response.

5. It is believed that USP Allenwood will be able to provide all pertinent documents and that the undersigned will be able to submit a response on or before March 14, 2001, Accordingly, on behalf of respondent, the United States Attorney's Office requests a seven-day enlargement of time until March 14, 2001, in which to respond to the show cause Order.

WHEREFORE, the respondents request an enlargement of time until March 14, 2001, in which to respond to the show cause Order. Counsel certifies that he has not sought the concurrence of petitioner because the petitioner is a prisoner proceeding pro se. M.D. Pa. Local Rule 7.1.

Respectfully submitted,

DAVID M. BARASCH
United States Attorney

A handwritten signature in dark ink, appearing to read "Matthew E. Haggerty", followed by the word "for" in a smaller, cursive script.

MATTHEW E. HAGGERTY
Assistant U.S. Attorney
SHELLEY L. GRANT
Paralegal Specialist
217 Federal Building
225 Walnut Street
Post Office Box 11754
Harrisburg, PA 17108

Dated: March 7, 2001

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

YONNIE BAILEY, :
Petitioner :
 :
v. : Civil No. 1:CV-00-2184
 : (Judge Caldwell)
JAKE MENDEZ, Warden, :
Respondent :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.


That on March 7, 2001, she served a copy of the attached

MOTION FOR ENLARGEMENT OF TIME

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the places and addresses stated below, which is the last known addresses, and by depositing said envelope and contents in the United States Mail in Harrisburg, Pennsylvania.

Addressee:

Yonnie Bailey
Reg. No. 46949-066
USP Allenwood
P.O. Box 3000
White Deer, PA 17887


SHELLEY L. GRANT
Paralegal Specialist